

Rulemaking Hearing Rules
of
The Tennessee Department of Human Services
Family Assistance Division

Chapter 1240-1-2
Family Assistance Unit
Food Stamp Program

Amendments

Rule 1240-1-2-.02 Household Concept – Food Stamps Only, is amended by deleting Part 5 under Subparagraph (a) Paragraph (1), and by substituting the following language, so that, as amended, Part 5 Paragraph (1), Subparagraph (a) shall read as follows:

5. An individual who is sixty (60) years of age or older (and the spouse of such individual) who lives with others and who is unable to purchase and prepare meals separately because he/she suffers from a disability considered permanent under the Social Security Act or some other non-disease-related severe permanent disability. In order for this individual and spouse to be eligible for separate household status, the combined gross income of all others with whom the individual resides (excluding the individual and his/her spouse's income) cannot exceed one hundred sixty-five percent (165%) of the poverty level as shown in the Table below:

No. of Persons in Household	1	2	3	4	5	6	7	8	9	10
165% of Poverty	\$1404	\$1883	\$2361	\$2840	\$3318	\$3797	\$4275	\$4754	\$5233	\$5712

For each additional member add \$479

Authority: T.C.A. §§ 4-5-201 et seq.; T.C.A. § 4-5-202; T.C.A. §§ 71-1-105 and 71-5-304; 7 U.S.C.A. § 2014; and 7 C.F.R. §§ 273.1, 273.1(b)(2), 273.9, and 273.10.

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Chapter 1240-1-4
Financial Eligibility Requirements

Amendments

Rule 1240-1-4-.27 Standard of Need/Income, is amended by deleting Table I under Paragraph (1) Subparagraph (a) Part 2 in its entirety, and by inserting a new Table I, so that, as amended, Table I shall read as follows:

TABLE I

No. of Persons in Household	1	2	3	4	5	6	7	8	9	10
Gross Income Standard	\$1107	\$1484	\$1861	\$2238	\$2615	\$2992	\$3369	\$3746	\$4123	\$4500

For each additional member add \$377

Rule 1240-1-4-.27 Standard of Need/Income, is amended by deleting Table II under Paragraph (1) Subparagraph (b) Part 2 in its entirety, and by inserting a new Table II, so that, as amended, Table II shall read as follows:

TABLE II

No. of Persons in Household	1	2	3	4	5	6	7	8	9	10
Maximum Net Income	\$851	\$1141	\$1431	\$1721	\$2011	\$2301	\$2591	\$2881	\$3171	\$3461

For each additional member add \$290

Rule 1240-1-4-.27 Standard of Need/Income, is amended by deleting Table III under Paragraph (1) Subparagraph (c) Part 2 in its entirety, and by inserting a new Table III, so that, as amended, Table III shall read as follows:

TABLE III

No. of Persons in Household	1	2	3	4	5	6	7	8	9	10
Maximum Coupon Allotment	\$162	\$298	\$426	\$542	\$643	\$772	\$853	\$975	\$1097	\$1219

For each additional member add \$122

Rule 1240-1-4-.27 Standard of Need/Income, is amended by deleting Table IV-A and Table IV-B under Paragraph (1) Subparagraph (d) in their entirety, and by inserting a new Table IV-A and Table IV-B, so that, as amended, Table IV-A and Table IV-B shall read as follows:

TABLE IV-A
Standard Deduction

Household Size	1	2	3	4	5	6+
Standard Deduction	\$134	\$134	\$134	\$143	\$167	\$191

TABLE IV-B
Food Stamp Deductions

Maximum Dependent Care for Child Less than 2 Years Of Age	\$200
Maximum Dependent Care for Child Over Age 2 or Adult	\$175
Maximum Shelter Deduction for Non-Elderly/Disabled Households	\$431
Maximum Shelter Deduction for Elderly/Disabled Households	No Maximum

Rule 1240-1-4-.27 Standard of Need/Income, is amended by deleting Table V and Table V-A under Paragraph (1) Subparagraph (e) in their entirety, and by inserting a new Table V-A and Table V-B, so that, as amended, Table V-A and Table V-B shall read as follows:

TABLE V-A
Food Stamp Standard Utility Allowance

Household Size	1	2	3	4	5	6	7	8	9	10 or More
Standard Utility Allowance	\$293	\$304	\$315	\$326	\$336	\$347	\$358	\$369	\$380	\$391

TABLE V-B
Food Stamp Basic Utility Allowance

Household Size	1	2	3	4	5	6	7	8	9	10 or More
Basic Utility Allowance	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126

Authority: T.C.A. §§ 4-5-201 et seq.; T.C.A. § 4-5-202; T.C.A. §§ 71-1-105 and 71-5-304; 7 U.S.C.A. § 2014; and 7 C.F.R. §§ 273.9 and 273.10.


Legal Contact and/or party who will approve final copy:


Phyllis A. Simpson
Assistant General Counsel
Department of Human Services
Citizens Plaza Building, 15th Floor
400 Deaderick Street
Nashville, TN 37243-1403
(615) 313-4731

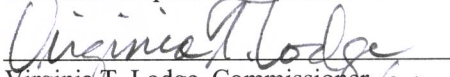
Contact for disk acquisition:

Alan Buescher
Legal Assistant
Citizens Plaza Building, 15th Floor
400 Deaderick Street
Nashville, TN 37243-1403
(615) 313-4731

Signature of the agency officer or officers directly responsible for proposing and/or drafting these rules:


Richard Dobbs, Director, Food Stamp Policy
Tennessee Department of Human Services

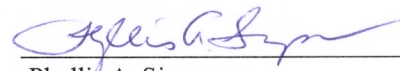

Glenda Shearon, Assistant Commissioner
Adult & Family Services
Tennessee Department of Human Services


Virginia T. Lodge, Commissioner
Tennessee Department of Human Services

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Department of Human Services on the 1st day of November, 2007.

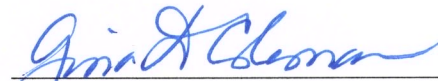
Further, I certify that the provisions of T.C.A. § 4-5-222 have been fully complied with, that these rules are properly presented for filing, a notice of rulemaking hearing was filed in the Department of State on the 21st day of August, 2007, and such notice of rulemaking hearing having been published in the September 14, 2007 issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the 16th day of October, 2007.




Phyllis A. Simpson
Assistant General Counsel
Tennessee Department of Human Services

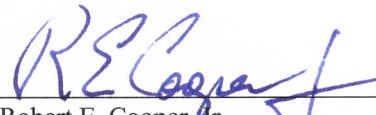
Subscribed and sworn to before me this the 1st day of November, 2007.

My Commission Expires JULY 25, 2009


Notary Public

My commission expires on the 25th day of July, 2009

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.


Robert E. Cooper, Jr.
Attorney General and Reporter

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 16 day of Nov., 2007 and will become effective on the 30 day of Jan., 2008.


Riley C. Darnell
Secretary of State

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The Tennessee Department of Human Services
Division of Family Assistance

Chapter 1240-1-2
Family Assistance Unit
Food Stamp Program

Chapter 1240-1-4
Financial Eligibility Requirements

Regulatory Flexibility Act Statement

The United States Department of Agriculture establishes standards of eligibility for participation by households in the Food Stamp Program pursuant to 7 U.S.C. § 2014. For purposes of Acts 2007, Chapter 464, the Regulatory Flexibility Act, the Department of Human Services certifies that these rulemaking hearing rules substantially codify existing federal law, such that, pursuant to Section 6 of the Regulatory Flexibility Act, the Regulatory Flexibility Act's provisions do not apply to these rules. In addition, these rulemaking hearing rules do not appear to affect small businesses as defined in the Act because these rules are related to the determination of eligibility and provision of benefits to individuals and households who file an application for them. These rules do not regulate or attempt to regulate businesses.



Phyllis Simpson
Assistant General Counsel
Tennessee Department of Human Services

November 1, 2007